

Award when to be returned to court.

SEC. 15. The award may be returned at any term or session of the court, that shall be held within the time limited in the submission, and the parties shall attend at every such term or session, without any express notice for that purpose, in like manner as if an action for the same cause were pending between them in the same court; but the court may require actual notice to be given to either party when it shall appear to them necessary or proper, before they proceed to act upon the award.

Judgment, how rendered.

SEC. 16. Upon such award being confirmed or modified, the court shall render judgment in favor of the party to whom any sum of money or damages shall have been awarded, that he recover the same, and if the award shall have ordered any act to be done by either party, judgment shall be entered that such act be done according to such order; the costs of proceedings shall be taxed as in suits, and if no provision for the fees and expenses of the arbitrators shall have been made in the award, the court shall make a suitable allowance.

Costs how taxed.

Record of judgment, how made.

SEC. 17. A record of such judgment shall be made, commencing with a memorandum reciting the submission, then stating the hearing before the arbitrators, their award, the proceedings of the court thereupon, in modifying or confirming such award, and the judgment of the court for the recovery of the debt or damages awarded, and that the parties perform the acts ordered by the award, and for the recovery of the costs allowed.

Record how filed and docketed, etc.

SEC. 18. Such record shall be filed and docketed as records of judgments in other cases, shall have the same force and effect in all respects, be subject to all the provisions of law in relation to judgments in actions, and may in like manner be removed and reversed by writ of error, and execution shall issue thereupon.

Execution to issue.

Arbitrators may make award concerning costs.

SEC. 19. If there is no provision in the submission concerning the costs of the proceedings, the arbitrators may make such award respecting the costs as they shall judge reasonable, including therein a compensation for their own services; but the court may reduce the sum charged for the compensation of the arbitrators if it shall appear to them unreasonable.

Court may enforce judgment.

SEC. 20. Where by such judgment any party shall be required to perform any act other than the payment of money, the court rendering such judgment shall enforce the same by rule, and the party refusing or neglecting to perform and execute such act, or any part thereof, shall be subject to all the penalties of contemning an order of such court.

CHAP. LX.—An Act for the Relief of the Poor.

Who to have superintendence of poor.

SEC. 1. That the Board of County Commissioners of the several counties of this Territory, shall be and they are hereby vested with entire and exclusive superintendence of the poor, in their respective counties.

What relatives to support poor persons.

SEC. 2. Every poor person, who shall be unable to earn a livelihood, in consequence of bodily infirmity, idiocy, lunacy, or other unavoidable cause, shall be supported by the father, grand-father, mother, grand-mother, children, grand-children, brothers or sisters of such poor person, if they, or either of them, be of sufficient ability; and every person who shall fail or refuse to support his or

her father, grand-father, mother, grand-mother, child or grand-child, sister or brother, when directed by the Board of Commissioners of the county where such poor person shall be found, whether such relative reside in the county or not, shall forfeit and pay to the County Commissioners, for the use of the poor of their county, the sum of fifteen dollars per month, to be recovered in the name of the County Commissioners, for the use of the poor as aforesaid, before any justice of the peace or any court having jurisdiction: *Provided*, That when any person becomes a pauper from intemperance or other bad conduct, he shall not be entitled to support from any relation, except parent or child.

SEC. 3. The children shall be the first called on to support their parents, if there be children of sufficient ability; if there be none of sufficient ability, the parents of such poor person shall be next called on; and if there be no parents or children of sufficient ability, the brothers and sisters shall be next called on; and if there be no brothers and sisters, the grand-children of such poor person shall be called on, and then on the grand-parents; but married females, whilst their husbands live, shall not be liable to a suit.

In what order relatives liable.

SEC. 4. When any such poor person shall not have any such relatives, in any county in this Territory, as are named in the preceding sections, or such relatives shall not be of sufficient ability, or shall fail or refuse to maintain such pauper, then the said pauper shall receive such relief as the case may require out of the county treasury; and the County Commissioners may either make contracts for the necessary maintenance of the poor, or appoint such agents as they may deem necessary, to oversee and provide for the same.

When to be relieved out of county treasury.

SEC. 5. When any minor shall become, or be likely to become chargeable to the county, either because of being an orphan, or because the parents, or other relations as aforesaid, are unable or refuse to support such minor, it shall be the duty of the County Commissioners to bind such minor as an apprentice to some respectable householder of the county, by written indenture, which shall bind such minor to serve as an apprentice, and shall, in all respects be to the tenor and effect as required in the act concerning apprentices.

When minors bound to service.

SEC. 6. When any non-resident, or any other person, not coming within the definition of a pauper, shall fall sick, in any county of this Territory, not having money or property to pay for his board, nursing and medical aid, it shall be the duty of the overseers of the poor of the proper township, on complaint being made, to give, or order to be given, such assistance to such poor person as they may deem just and necessary; and if said sick person shall die, then the said overseers shall give, or order to be given to such person, a decent burial; and the said overseers shall make such allowance for board, nursing, medical aid, or burial expenses, as they shall deem just and equitable, and order the same to be paid out of the county treasury.

When relief given to persons not paupers.

SEC. 7. When application is made, by any pauper, to the Board of Commissioners of any county in this Territory, for relief, it shall be necessary for said Commissioners to require of said pauper satisfactory evidence that he has been a resident of said county, for twelve months immediately preceding the day upon which such application is made.

Residence required

SEC. 8. When on application, made by any pauper, to the

Relief when to
be given.

Board of Commissioners as aforesaid, it shall appear, to the satisfaction of said Board, that the person so applying for relief, has resided in said county agreeably to the provisions of the foregoing section of this act, he shall be entitled to all the relief provided by this act; but if on the contrary it shall appear, to the satisfaction of said Board, that said pauper has not been a resident of said county agreeably to the provisions of the seventh section of this act, they shall proceed to remove from their county, at the expense of said county, such pauper, to the county where said pauper may have had his residence, or may, if they think best, issue a notice directed to some constable of the county, which notice said constable shall serve forthwith on said pauper, requiring him to depart said county forthwith; and after so serving said notice, by reading the same to said pauper, said constable shall, within five days thereafter, return the same to the clerk of the Board of Commissioners issuing the same, noting the time and manner of serving the same thereon.

When applicant
removed.

When not to be
relieved.

SEC. 9. After service of such notice as aforesaid, no pauper shall be entitled to relief from such county, any law or custom to the contrary notwithstanding.

Work-house may
be erected.

SEC. 10. The Board of County Commissioners, of any county in this Territory, may, if they think proper, cause to be built or provided, in their respective counties, work-houses for the accommodation and employment of such paupers as may, from time to time, become a county charge; and said work-house and paupers shall be under such rules and regulations as said Boards of Commissioners may deem proper and just.

Penalty for bring-
ing pauper into
Territory.

SEC. 11. If any person shall bring and leave any pauper in any county in this Territory, wherein such pauper is not lawfully settled, knowing him to be a pauper, he shall forfeit and pay the sum of one hundred dollars, for every such offence, to be sued for and recovered, by and to the use of such county, by action of debt, before any court having jurisdiction of the same.

CHAP. LXI—An Act regulating Marriages.

Who may sol-
emnize marriages.

SEC. 1. That it shall be lawful for any justice of the peace, within his proper county, and for any ordained minister of the gospel in regular communion with any society of christians, (but not otherwise,) judges of the supreme court, and supreme court commissioners, to solemnize the rites of marriage between persons competent to make the contract of marriage: *Provided*, That the male shall be eighteen years of age, and if under the age of twenty-one years, shall obtain the consent of his parents or guardian; and the female shall be fourteen years of age, and if under the age of eighteen years, shall obtain the like consent: *And provided further*, That they shall not be nearer of kin than first cousin, and shall not have a husband or wife living.

Who may marry.

Ministers to file
credentials of ordi-
nation.

SEC. 2. Ministers of the gospel, ordained and in regular communion as aforesaid, before they shall be deemed authorized as aforesaid, shall file a copy of their credentials of ordination with the clerk of the district court of the county, in which any marriage by them may be solemnized; and such clerk shall enter the same of record and give a certificate of the same.